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April 7, 2017

VIA ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

RE: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

I represent the *Ashton* plaintiffs and am writing in response to Mr. Kellogg's letter regarding two recent press articles.

In 2004, Judge Casey directed the lawyers not to try the case in the press. The lawyers, however, were never instructed not to talk to the press. Counsel for all parties, including the Kingdom of Saudi Arabia, have responded to press inquiries over the years. Given the tremendous public interest in the case, there have been numerous such inquiries.

Some time ago, I was contacted by a Politico reporter regarding a human interest story he was writing about my firm and its work on this and other terrorist cases. I advised him that we were preparing a complaint in *Ashton* for filing in court. He later obtained our filed complaint and contacted me again and asked me questions about that complaint. My firm was also contacted by a reporter from *USA Today* and numerous other print, television and internet news sources regarding that same complaint.

I and others at my firm responded to these inquiries, mindful of our obligations as set forth by Judge Casey not to exploit our contacts with the press.

Over the years, Mr. Kellogg, Saudi Arabia's counsel, has made statements to the press on Saudi Arabia's behalf in this case. He has no reason to complain about our response to press inquiries.

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For example, Mr. Kellogg was quoted in the *New York Times* on June 23, 2009 that "[i]n looking at all the evidence the families brought together, I have not seen one iota of evidence that Saudi Arabia had anything to do with the 9/11 attacks." He further said that "I think [the 9/11 families] have been disserved by their lawyers by bringing claims without any merit . . . "

In December 3, 2013, Mr. Kellogg was quoted by Reuters news service and *U.S. News and World Report* from a press release that "[i]t is extremely unfortunate and burdensome that a sovereign nation and ally of the United States will continue to have to litigate this matter more than 10 years after it was filed."

And on December 12, 2014, Mr. Kellogg was quoted by al Jazeera network that "Mr. Bayoumi was attending school in London at the time of the attacks, and there is no known basis for the allegation that he was an intelligence agent, or in any way involved in those attacks,"

Mr. Kellogg did not confer with me or the Plaintiffs Executive Committees prior to sending his letter. I have been unable to consult with the other members of the PECs and I expect that the PECs will also want an opportunity to respond.

Respectfully submitted,

By: /s/ James P. Kreindler
James P. Kreindler (JK7084)

JPK/gm